

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

MICHAEL KRAPCHAN (1),

Defendant.

Case No. 08MJ1856

ORDER OF DETENTION ON THE  
DEFENDANT'S WAIVER OF BAIL  
PENDING TRIAL

In accordance with the Bail Reform Act of 1984, Title 18, United States Code, Section 3142(f), a detention hearing was scheduled to be held on July 1, 2008, to determine whether the defendant MICHAEL KRAPCHAN ("Defendant") should be held in custody pending trial and, if convicted, sentencing in the above-captioned matter. However, on June 26, 2008, Defendant waived his right to the setting of bail and a detention hearing. Assistant United States Attorney Orlando B. Gutierrez appeared on behalf of the United States and Michael Pancer, Esq. appeared on behalf of Defendant.

At the hearing on June 26, 2008, Defendant knowingly and voluntarily waived his right, on the record through counsel, to the setting of bail and a detention hearing. Based on the waiver, the Court orders that Defendant be detained pending trial, and, if convicted, sentencing in these matters, without prejudice or waiver of the right of Defendant to apply for bail and conditions of

1 release at a later date, and without prejudice or waiver of the right of the United States to seek  
2 detention in the event of an application by Defendant for such relief.

3 **ORDER**

4 IT IS HEREBY ORDERED that Defendant be detained pending trial, and if convicted,  
5 sentencing in these matters.


6 IT IS FURTHER ORDERED that Defendant be committed to the custody of the Attorney  
7 General or his designated representative for confinement in a corrections facility separate, to the  
8 extent practicable, from persons awaiting or serving sentence or being held in custody pending  
9 appeal. Defendant shall be afforded reasonable opportunity for private consultation with counsel.

10 While in custody, upon order of a court of the United States or upon the request of an  
11 attorney for the United States, the person in charge of the correctional facility shall deliver  
12 Defendant to the United States Marshal for the purpose of an appearance in connection with a court  
13 proceeding or any other appearance stipulated to by defense and government counsel.

14 This order is made without prejudice to modification by this Court and without prejudice  
15 to Defendant's exercise of his right to bail and a detention hearing at a future date.

16 IT IS SO ORDERED.

17 DATED: June 27, 2008

18   
19 THE HONORABLE NITA L. STORMES  
20 United States Magistrate Judge  
United States District Court for the  
Southern District of California

21 Prepared by:

22 KAREN P. HEWITT  
23 United States Attorney

24 /s/Orlando B. Gutierrez  
25 ORLANDO B. GUTIERREZ  
26 Assistant United States Attorney  
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